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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 JOHN DOE, a minor, by and through JANE
 9 DOE, his natural mother and legal guardian;

10 Plaintiff,

11 vs.

12 COURTNEY BILLUPS, an individual; and
 CLARK COUNTY SCHOOL DISTRICT, a
 13 political subdivision of the State of Nevada;

14 Defendant.

CASE NO.: 2:23-cv-00334-APG-DJA

**PLAINTIFF'S MOTION FOR LEAVE TO
 FILE FIRST AMENDED PETITION FOR
 MINOR'S COMPROMISE, PAYMENT OF
 ATTORNEY FEES AND COSTS AND FOR
 THE CREATION OF A BLOCKED TRUST
 ACCOUNT UNDER SEAL**

15 Plaintiff JOHN DOE, a minor child, by and through his Natural Parent and Legal Guardian,
 16 JANE DOE, by and through their counsel of record, ANDRE M. LAGOMARSINO, ESQ. and
 17 TAYLOR N. JORGENSEN, ESQ. of LAGOMARSINO LAW, hereby move to have Plaintiff's First
 18 Amended Petition for Minor's Compromise, Payment of Attorney Fees and Costs, and For The
 19 Creation of A Blocked Trust Account filed under seal. This Motion is made and based upon the
 20 following memorandum of points and authorities and all of the pleadings and papers on file herein.

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MEMORANDUM OF POINTS AND AUTHORITIES

It is well established in the Ninth Circuit that there is a strong presumption of public access to judicial records. *See Kamakana v. City of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006); *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003). A party seeking to file documents under seal bears the burden of overcoming that presumption. *Pintos v. Pac. Creditors Ass'n*, 605 F.3d 665, 678 (9th Cir. 2010) (quoting *Kamakana*, 447 F.3d at 1178). To overcome the presumption in the context of a dispositive motion, the moving party must show compelling reasons that support maintaining the secret nature of the documents. *Kamakana*, 447 F.3d at 1180. The compelling reasons must outweigh the public's interest in having access to the judicial records and in understanding the judicial process. *Id.* at 1178–79.

The Court granted a Motion to Proceed in Pseudonym on May 30, 2024 (ECF No. 30) for Plaintiff's need for anonymity due to his fear for his safety and re-traumatization if publicly named in this suit. Plaintiff filed the Petition for Minor's Compromise, Payment of Attorney Fees and Costs, and For The Creation of A Blocked Trust Account on July 3, 2024 (ECF No. 67). However, upon attempting to open the account, Plaintiff was advised that Chase Bank requires Plaintiff's identifying information including his name, date of birth, social security number, telephone number, and address in order to open the account. Therefore, Plaintiff has filed his First Amended Petition for Minor's Compromise, Payment of Attorney Fees and Costs, and For The Creation of A Blocked Trust Account (ECF No. 80) that contains Plaintiff's identifying information required by Chase Bank. Accordingly, Plaintiff requests that the First Amended Petition be sealed.

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Based on the foregoing, Plaintiff respectfully requests that this Court enter an Order allowing Plaintiff to file their First Amended Petition for Minor's Compromise, Payment of Attorney Fees and Costs, and For The Creation of A Blocked Trust Account under seal.

DATED this 18th day of September 2024.

LAGOMARSINO LAW



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CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I hereby certify that on this 18th day of September 2024, the foregoing **PLAINTIFF'S MOTION FOR LEAVE TO FILE FIRST AMENDED PETITION FOR MINOR'S COMPROMISE, PAYMENT OF ATTORNEY FEES AND COSTS AND FOR THE CREATION OF A BLOCKED TRUST ACCOUNT UNDER SEAL** was electronically served on all parties to this action, through the CM/ECF system of the United States District Court, to the following:

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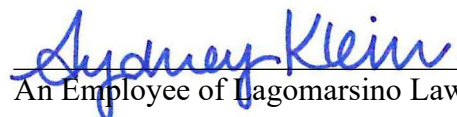
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